



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank N. Blundo
U.S. Appl. No. : 10/727,082
Filed : December 3, 2003
TITLE : APPARATUS AND METHOD FOR FRAMING AND ISOLATING WINDOW AND DOOR OPENINGS OF A BUILDING
Group Art : 3635
Examiner : Chi Q. Nguyen
Confirmation : 6048
Customer No. : 29669
Atty Docket : 32978 US

October 13, 2006
Lowell, Massachusetts

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 13, 2006

Walter F Dawson
WALTER F. DAWSON., Attorney,
Reg. No. 30,046

October 13, 2006

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450,
Alexandria, VA 22313-1450

SIR:

SUPPLEMENTAL
PETITION TO REVIVE ABANDONED APPLICATION
UNDER 37 C.F.R. § 1.137(b) UNINTENTIONAL

Applicant filed the original Petition to Revive Abandoned Application Under 37 C.F.R. § 1.137(b) Unintentional on October 6, 2006 and enclosed a Response to the outstanding Office Action dated June 24, 2006. The Response was labeled

"Amendment under 37 C.F.R. 1.111", but it should have been labeled "Amendment under 37 C.F.R. 1.116" because Applicant believes that the amended claims are in condition for allowance. Therefore, Applicant requests that the enclosed Rule 116 Amendment replace the previously filed Rule 111 Amendment which was enclosed with the original Petition to Revive.

Applicant hereby Petitions, through his attorney of record, that the above identified application be restored to the pending files and that abandonment of the above-identified patent application be held to have been unintentional.

The Petition fee of \$750.00 was enclosed pursuant to 37 C.F.R. 1.17(m) with the Petition to Revive filed October 6, 2006.

Applicant and Applicant's Attorney state that the entire delay in filing the required Response to Office Action from the due date for reply until the filing of this Petition was Unintentional.

Applicant's' attorney received an Office Action that was mailed by the U.S. Patent and Trademark Office on June 24, 2005. The Response to Office Action was due on December 24, 2005.

A Notice of Abandonment was mailed to Applicant's Attorney by the U.S. Patent and Trademark Office on December 28, 2005.

Applicant has prepared and encloses herewith an Amendment Under 37 C.F.R. 1.116 in response to the outstanding Office Action, and Applicant believes that the claims as amended are now in condition for allowance.

Therefore, it is requested that the delay in preparation and filing the enclosed Amendment Under 37 C.F.R. 1.116 be found to be unintentional, that this Petition to Revive Abandoned Application be granted, that the patent application be revived and restored to the pending files, and that the enclosed Rule 116 Amendment be examined and the claims (as amended) be allowed.

The Commissioner for Patents is authorized to charge Deposit Account No. 16-0875 for any additional fees associated with this communication.

Respectfully submitted,
PEARSON & PEARSON, LLP
BY

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